

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:10CV257
)	
vs.)	ORDER
)	
\$6,000.00 in United States Currency,)	
)	
Defendant.)	

This matter is before the court *sua sponte*, and pursuant to [NECivR 41.2](#), which states in pertinent part: "At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution." In this case the complaint was filed on July 12, 2010. **See** [Filing No. 1](#). The plaintiff filed a notice of executing a summonses on the defendant currency and on a possible claimant in August 2010. **See** Filing Nos. [7](#) and [8](#). The court gave the plaintiff leave to give notice of the forfeiture action by publication, which publication occurred. **See** Filing Nos. [6](#) and [9](#). No other progress has taken place in this matter. No party has made a claim on the defendant currency. It remains the plaintiff's duty to go forward in prosecuting the case by, for example, filing a motion for the clerk's entry of default pursuant to [Fed. R. Civ. P. 55](#) and [NECivR 55.1\(a\)](#), as appropriate. Upon consideration,

IT IS ORDERED:

The plaintiff has until the close of business **on April 21, 2011**, to file a motion for clerk's entry of default or show cause why this case should not be dismissed for failure to prosecute.

Dated this 11th day of April, 2011.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge